

**REMARKS**

Claims 1-45 and 47 are pending. By this Amendment, claims 10, 11, 14-27, 30-35, 39-41 and 43-45 and 47 are amended. The above claim amendments are made for clarity only and not to overcome applied art. No new matter is introduced.

Applicants appreciate the courtesies extended to applicants' representative, Mr. Paul Tsou, during the May 30 personal interview. The substance of the personal interview is incorporated in the remarks below.

The Office Action rejects claims 10-13, 43, 44, 46 and 47 under 35 U.S.C. §112, second paragraph. This rejection is moot with respect to canceled claim 46 and remaining claims have been amended to obviate this rejection. Withdrawal of the rejection of claims 10-13, 43, 44, 46 and 47 under 35 U.S.C. §112, second paragraph is respectfully solicited.

The Office Action rejects claims 1-6, 14-16, 23-25 and 32-35 under 35 U.S.C. §102(e) over Andreu-von Euw et al. (U.S. Patent No. 7,120,363) (Euw); claims 26, 30, 31 and 45 under 35 U.S.C. §102(e) over Goodwill (U.S. Patent No. 6,775,480); claims 7-9 and 36-38 under 35 U.S.C. §103(a) over Euw in view of Graves et al. (U.S. Patent No. 6,721,510); claims 39-42 under 35 U.S.C. §103(a) over Euw in view of Javitt et al. (U.S. Patent No. 6,381,055); claims 10, 11, 43 and 44 under 35 U.S.C. §103(a) over Euw in view of Goodwill; claims 20-22 under 35 U.S.C. §103(a) over Euw in view of Mun (U.S. Patent No. 5,663,944); claims 46 and 47 under 35 U.S.C. §103(a) over Goodwill in view of Euw; and 27-29 under 35 U.S.C. §103(a) over Goodwill in view of Javitt. These rejections are respectfully traversed.

The Office Action asserts that Euw discloses scanning means citing Fig. 9 and C5/L40-C6/L53 of Euw. However, as agreed during the interview, Euw does not disclose scanning means which scans a light-emitting element relative to a transmission light condenser lens, as recited in claims 1, 3, 26 and 45, and a scanning means which scans a light-detecting element relative to a received light condenser lens, as recited in claim 2. Euw

discloses link head monitors such as link head monitors 532 and 538 shown in Fig. 9. There is nothing in the passages cited by the Office Action or in any other part of Euw that discloses scanning light-emitting elements or light-detecting elements relative to light condenser lenses. Rather, the link heads are moved as a unit by motors. See, e.g., C8/L9-35. Thus, Euw does not disclose or suggest the subject matter recited in claims 1-3, 26 and 45.

As also agreed during the interview, Goodwill also does not disclose scanning light-emitting elements or light-detecting elements relative to a light condenser lens. The Office Action cites C3/L50-63 of Goodwill as disclosure of scanning means. However, this passage does not disclose anything related to scanning but rather that transmitters and receivers are arranged into clusters of one or two dimensional arrays. There is nothing in Goodwill that discloses, suggests or even recognizes scanning light-emitting elements relative to a condenser lens. Thus, Goodwill does not disclose or suggest the subject matter recited in claims 26 and 45 or in any of the other independent claims 1-3.

As briefly discussed and agreed during the interview, Graves, Javitt and Mun used as supporting references also do not disclose anything relating to scanning light-emitting elements or light-detecting elements relative to a condenser lens. Thus, none of the references disclose, suggest or recognize the scanning means recited in claims 1-3, 26 and 45. Claims 4, 7, 14, 17, 20, 23, 32, 36 and 39 depend from claim 1; claims 5, 8, 10, 15, 18, 24, 34, 37, 41 and 43 depend from claim 2; claims 6, 9, 11-13, 16, 19, 22, 25, 33, 35, 38, 40, 42 and 44 depend from claim 3; claims 27-31 depend from claim 26; and claim 47 depends from claim 45. Thus, Euw, Goodwill, Javitt, Graves and Mun do not disclose or suggest the subject matter recited in claims 1-49. Withdrawal of all of the rejections under 35 U.S.C. §102(e) and 35 U.S.C. §103 of claims 1-47 is respectfully solicited.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-49 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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